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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,012	02/15/2002	Virinder M. Batra	RSW920010183US1	3519
46320	7590	10/17/2005	EXAMINER	
CHRISTOPHER & WEISBERG, PA 200 E. LAS OLAS BLVD SUITE 2040 FT LAUDERDALE, FL 33301			CHOWDHURY, AZIZUL Q	
		ART UNIT	PAPER NUMBER	2145

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/077,012	BATRA ET AL.	
	Examiner	Art Unit	
	Azizul Choudhury	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 25 July 2005.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-6 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 15 February 2002 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/15/02</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Requena (US Pat No: US 20020126701A1).

1. With regards to claim 1, Requena teaches a method of processing requests from location-based service applications for location-based services provided by a plurality of disparate location-based service providers, comprising the steps of the location service: receiving requests for location based-services; determining from each said request a particular location-based service provider which can service said request; specifically formatting each said request according to a specific format specified, by said particular location-based service provider; uniformly formatting each result set produced from corresponding ones of said requests; and, to forwarding said uniformly formatted result sets to the location-based service applications (Requena discloses a design for presence based services for mobile

computing devices (such as cell phones) (paragraphs 12 and 61, Requena). The design allows for services, including instant messaging (paragraph 37, Requena). As seen in Figure 1, when a user uses the instant messaging application, the user enters data that is submitted to a location-based service provider (nearby server). The user also receives messages (data) from the closest server. The user is able to move around and so the server that is considered nearby is able to change. Whenever data is sent or received, it is inherent that it must be formatted as claimed. Formatting is required since each user's device may be using a different format and multiple users are permitted within the design. Plus, the disclosure also teaches that data be transferred in a concrete format such as XML (paragraph 177)).

2. With regards to claim 2, Requena teaches the method wherein said uniformly formatted result sets are result sets which have been formatted according to the Geography Markup Language (GML) (Requena's design allows for the use of Geography Markup Language (paragraph 120, Requena)).
3. With regards to claim 3, Requena teaches a common location-based service adapter interface, comprising: a uniform input interface through which location-based services can be requested using a uniform format which is independent of any specific formatting required by a particular service adapter configured to process said location-based services; and, a uniform output interface

through which specifically formatted result sets can be formatted using said uniform format (Requena's design allows for users to use instant messaging as their application (paragraph 37, Requena). In instant messaging, users are provided uniform interfaces as claimed. Data sent and received by users are all in a single format. The data is only changed in format by computing devices from a uniform format to a format understandable to the users).

4. With regards to claim 4, Requena teaches the common location-based service adapter interface wherein said uniform input interface comprises: a plurality of location-based service adapter objects, each said adapter object being configured to provide said at least one location-based service responsive to receiving a uniformly formatted location-based service request; a location service object configured to provide a reference to a particular one of said location-based service adapter objects based upon a specified location-based service; and, a plurality of location request objects configured to define location-based service request parameters required by generic ones of said location-based service adapter objects (Requena discloses a design for presence based services for mobile computing devices (such as cell phones) (paragraphs 12 and 61, Requena). The design allows for services, including instant messaging (paragraph 37, Requena). As seen in Figure 1, when a user uses the instant messaging application, the user enters data that is submitted to a location-based service provider (nearby server). The user also receives messages (data) from the closest server. The user is able to

move around and so the server that is considered nearby is able to change.

Whenever data is sent or received, it must be formatted as claimed. It must be since each user's device may be using a different format and multiple users are permitted within the design).

5. With regards to claim 5, Requena teaches a machine readable storage having stored thereon a computer program for processing requests from location-based service applications for location-based services provided by a plurality of disparate location-based service providers, the computer program comprising a routine set of instructions for causing the machine to perform the steps of: receiving requests for location based-services; determining from each said request a particular location-based service provider which can service said request; specifically formatting each said request according to a specific format specified by said particular location-based service provider, and uniformly formatting each result set produced from corresponding ones of said requests; and, forwarding said uniformly formatted result sets to the location-based service applications (Requena discloses a design for presence based services for mobile computing devices (such as cell phones) (paragraphs 12 and 61, Requena). The design allows for services, including instant messaging (paragraph 37, Requena). As seen in Figure 1, when a user uses the instant messaging application, the user enters data that is submitted to a location-based service provider (nearby server). The user also receives messages (data) from the closest server. The user is able to move around and so

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the server that is considered nearby is able to change. Whenever data is sent or received, it is inherent that it must be formatted as claimed. Formatting is required since each user's device may be using a different format and multiple users are permitted within the design. Plus, the disclosure also teaches that data be transferred in a concrete format such as XML (paragraph 177)).

6. With regards to claim 6, Requena teaches the machine readable storage, wherein said uniformly formatted result sets are result sets which have been formatted according to the Geography Markup Language (GML) (Requena's design allows for the use of Geography Markup Language (paragraph 120, Requena)).

Response to Remarks

The amendment filed July 25, 2005 has been carefully examined but is not deemed fully persuasive. While minor amendments have been made to claims 1 and 5, they do not add new matter as stated by the applicant's representative. However, after reviewing the prior art along with the office action and the applicant's representative's remarks, the examiner has determined that the rejections set forth in the previous office action are still valid.

Within the remarks, the applicant's representative expressed concern over two elements of the previous office action. The first element of concern involves the claimed trait of "determining from each request a particular location-based service provider which can service the request." The applicant's representative recites the cited

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portion (paragraph 12) provided by the examiner, which reads "spatial location information" which can be used in "providing said presence service." The applicant's representative believes that paragraph 12 of the prior art does not teach the claimed trait. After reviewing the claim language as well as the prior art, the examiner believes that the claimed trait is indeed taught by paragraph 12 of the prior art. The presence service is provided based on spatial location information. Hence, location is used in providing the appropriate service.

The second element of concern involves the claimed invention's trait involving formatting results uniformly. The examiner cites and continues to believe that whenever data is sent or received, it is inherent that it must be formatted as claimed. Formatting is required since each user's device may be using a different format and multiple users are permitted within the design. Plus, the disclosure also teaches that data be transferred in a concrete format such as XML (paragraph 177).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Azizul Choudhury whose telephone number is (571) 272-3909. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AC



JASON CARDONE
SPE AU:2145